

# HOUSE BILL No. 1088

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-33-2; IC 20-43-4-5.

**Synopsis:** Age for mandatory school attendance. Provides that, beginning with the 2015-2016 school year, a student shall enroll in a kindergarten program not later than the fall term of the school year in which the student becomes five years of age. Provides that a kindergarten pupil is counted as one student for purposes of a school's ADM. (Current law provides that a kindergarten pupil is counted as 1/2 pupil.)

**Effective:** July 1, 2015.

---

---

## Hale

---

---

January 6, 2015, read first time and referred to Committee on Education.

---

---



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1088

---

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-33-2-6, AS AMENDED BY P.L.242-2005,  
2       SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2015]: Sec. 6. A student is bound by the requirements of this  
4       chapter from the earlier of the date on which the student officially  
5       enrolls in a school or, except as provided in section 8 of this chapter,  
6       the beginning of the fall school term for the school year in which the  
7       student becomes ~~seven (7)~~ **five (5)** years of age until the date on which  
8       the student:  
9               (1) graduates;  
10              (2) becomes eighteen (18) years of age; or  
11              (3) becomes sixteen (16) years of age but is less than eighteen  
12              (18) years of age and the requirements under section 9 of this  
13              chapter concerning an exit interview are met enabling the student  
14              to withdraw from school before graduation;  
15       whichever occurs first.



SECTION 2. IC 20-33-2-7, AS AMENDED BY P.L.246-2005, SECTION 177, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) In addition to the requirements of sections 4 through 6 of this chapter, a student must be at least five (5) years of age on:

(1) July 1 of the 2005-2006 school year; or

(2) August 1 of the 2006-2007 school year or any subsequent school year;

to officially enroll in a kindergarten program offered by a school corporation. However, subject to subsection (c), the governing body of the school corporation shall adopt a procedure affording a parent of a student who does not meet the minimum age requirement set forth in this subsection the right to appeal to the superintendent for enrollment of the student in kindergarten at an age earlier than the age set forth in this subsection:

(b) In addition to the requirements of sections 4 through 6 of this chapter and subsection (a), and subject to subsection (c), if a student enrolls in school as allowed under section 6 of this chapter and has not attended kindergarten, the superintendent shall make a determination as to whether the student shall enroll in kindergarten or grade 1 based on the particular model assessment adopted by the governing body under subsection (c):

(c) To assist the principal and governing bodies, the department shall do the following:

(1) Establish guidelines to assist each governing body in establishing a procedure for making appeals to the superintendent under subsection (a):

(2) Establish criteria by which a governing body may adopt a model assessment that may be used in making the determination under subsection (b):

**Beginning with the 2015-2016 school year, a student shall enroll in a kindergarten program not later than the fall term of the school year in which the student becomes five (5) years of age.**

SECTION 3. IC 20-33-2-8, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. A student is not bound by the requirements of this chapter until the student becomes ~~seven (7)~~ **five (5)** years of age, if, upon request of the superintendent of the school corporation, the parent of a student who would otherwise be subject to compulsory school attendance under section 6 of this chapter certifies to the superintendent that the parent intends to:

(1) enroll the student in a nonaccredited, nonpublic school; or



1           (2) begin providing the student with instruction equivalent to that  
2           given in the public schools as permitted under section 28 of this  
3           chapter;  
4           not later than the date on which the student becomes ~~seven (7)~~ **five (5)**  
5           years of age.  
6           SECTION 4. IC 20-43-4-5, AS ADDED BY P.L.2-2006, SECTION  
7           166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
8           1, 2015]: Sec. 5. In determining ADM, each kindergarten pupil shall be  
9           counted as ~~one-half (1/2)~~ **one (1)** pupil. If a school corporation  
10          commences kindergarten in a school year, the ADM of the current and  
11          prior calendar years shall be adjusted to reflect the enrollment of the  
12          kindergarten pupils.

